IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

NOTICE OF MOTION NO.4141 OF 2007
IN
SUIT NO.2903 OF 1996

M/s.Ulka Manu Kapadia & Ors. ...Plaintiffs.
Vs.
Mr.Harish Ramniklal Kapadia & Ors. ...Defendants.
....
Ms.Priya Pakhare i/b. M/s.Shiralkar & Co. for the Plaintiffs.
Mr.A. N. Jakhadi for Defendant No.5.
Mr. S.R. Mishra for Defendant No.8.
Mr.Ashish Kamat i/b. M/s. V.Deshpande & Co. for Applicant/ Defendant No.9.
Mr. A.P. Guram, representative of Court Receiver.
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CORAM :DR.D.Y.CHANDRACHUD, J.
November 21, 2007.

P.C.:

The Notice of Motion has been taken out by the Bank of India, which is the Ninth Defendant to the suit, seeking the permission of the Court to surrender its tenancy right and to hand over possession to the Receiver. The application by the Bank has not been opposed by any of the parties before the Court. The Court Receiver shall place a report before the Court, should any dues payable by the Ninth Defendant upto date remain unpaid so as to

facilitate further orders of the Court. Counsel appearing on behalf of the Ninth Defendant states that possession will be handed over to the Receiver within a period of 8 weeks from today. The statement is accepted. In these circumstances, the Motion is made absolute in terms of prayer clause (a).

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